

Message Text

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ACTION AEC-11

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 4762

UNCLAS TOKYO 12364

E.O. 11652: N/A

TAGS: TECH, JA, US

SUBJECT: ABCC

REF: A) STATE 205648, B) TOKYO 12006, C) TOKYO 10948

1. EMBASSY APPRECIATES GUIDANCE ON ABCC ISSUES PROVIDED IN REF A. ON BASIS THIS GUIDANCE, FOLLOWING TEXT PROVIDED TODAY TO FONOFF BASED ON INSTRUCTIONS OF REFTEL. SINCE MATSUURA HAS ALREADY DEPARTED, EMBASSY REQUESTED FONOFF TO TRANSMIT THIS TEXT TO HIM VIA JAPANESE EMBASSY WASHINGTON, SO AS TO ENABLE HIM TO DISCUSS ISSUES INVOLVED IN WASHINGTON MEETING REQUESTED IN REF B, BUT WE UNCERTAIN WHETHER THIS WILL BE DONE.

2. TEXT FOLLOWS:

THE US HAS THE FOLLOWING ADDITIONAL COMMENTS AND SUGGESTED MODIFICATIONS TO OFFER ON THE TEXTS RELATED TO THE CREATION OF A NEW RADIOATION RESEARCH INSTITUTE.

1) PARAGRAPH 3 OF THE PROPOSED EXCHANGE OF NOTES.
THE US APPRECIATES THE JAPANESE PROPOSAL FOR THIS PARAGRAPH AND FINDS IT ACCEPTABLE, EXCEPT FOR THE WORDING WHICH CALLS FOR CONSULTATION TO TAKE PLACE "WHENEVER NECESSARY." THE US SUGGESTS THAT THESE WORDS BE REPLACED BY "WHENEVER REQUESTED." THE ENTIRE PARAGRAPH WOULD THEN READ:

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"THE TWO GOVERNMENTS SHALL KEEP EACH OTHER INFORMED AND

WHENEVER REQUESTED SHALL CONSULT EACHOTHER ON MATTERS PERTAINING TO THE ESTABLISHMENT AND OPERATION OF THE FOUNDATION, SO THAT THE OBJECTIVES MENTIONED IN PARAGRAPH 1 AND 2 MAY BE ACHIEVED THROUGH EFFECTIVE COOPERATION BETWEEN THE TWO GOVERNMENTS."

2) ADDITIONAL PARAGRAPH FOR RECORD OF DISCUSSIONS.
THE US SUGGESTS THE ADDITION OF THE FOLLOWING PARAGRAPH TO THE RECORD OF DISCUSSIONS:

"THE REPRESENTATIVES OF THE TWO GOVERNMENTS CONFIRMED THAT IN CONNECTION WITH ARTICLE 12 OF THE ACT OF ENDOWMENT THEY ARE PREPARED TO SELECT THE SAME NUMBERS OF THEIR RESPECTIVE CITIZENS TO SERVE AS MEMBERS OF THE BOARD OF DIRECTORS."

3) PARAGRAPH 2 OF THE RECORD OF DISCUSSIONS.
THE US SUGGESTS THAT THE FOLLOWING APPROACH BE TAKEN TO THE QUESTION OF THE INITIAL PROPERTY OF THE NEW INSTITUTION, WHICH IS DEALT WITH IN PART IN PARAGRAPH 2 OF THE RECORD OF DISCUSSIONS.

(1) THE US WOULD DONATE TO THE INSTITUTE ALL THE BUILDINGS, FACILITIES, AND EQUIPMENT IN JAPAN IN CURRENT USE BY THE ABCC. IN THE EVENT OF REMOVAL OF THE INSTITUTE FROM THE BUILDINGS IN CURRENT USE IN HIROSHIMA, THE US WOULD BE RELIEVED OF ITS OBLIGATION TO RESTORE THE LAND TO ITS ORIGINAL CONDITION.

(2) JAPAN WOULD DONATE TO THE INSTITUTE A NEW COMPUTER MODEL ---, AND WOULD UNDERTAKE TO PAY RENTAL CHARGES ON THE LAND OCCUPIED BY THE BUILDINGS IN CURRENT USE BY THE ABCC.

(3) IN THE EVENT OF DISSOLUTION OF THE INSTITUTE, JAPAN WOULD RECOVER TITLE TO THE EQUIPMENT REFERRED TO IN PARAGRAPH 2, AND THE US WOULD RECOVER TITLE TO THE BUILDINGS REFERRED TO IN PARAGRAPH 1, TOGETHER WITH THE WAIVER OF ITS OBLIGATION TO RESTORE THE LAND OCCUPIED BY THE BUILDINGS IN HIROSHIMA TO ITS ORIGINAL CONDITION.
END TEXT.

3. AS DEPT WILL NOTE, POSITION CONCERNING INITIAL CONTRIBUTION,
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AS RECOMMENDED BY EMBASSY IN PARA 5B, REF C, HAS BEEN REORDERED FOR PURPOSE OF BETTER PRESENTATION, BUT NOT MODIFIED IN SUBSTANCE. EMBASSY WISHES TO POINT OUT THAT, WHILE NOT MADE CLEAR IN EARLIER MESSAGES, GOJ INTENTION HAS ALWAYS BEEN TO PAY RENTAL FOR HIROSHIMA LAND ONLY, SINCE NAGASAKI LAND NOT GOVERNMENT-OWNED. EMBASSY'S PROPOSAL WAS ALSO INTENDED TO BE SO LIMITED.

4. EMBASSY ALSO WISHES TO POINT OUT THAT LANGUAGE OF PARA 3

REF A IS IN DIRECT CONFLICT WITH ARTICLE 13 OF ACT OF ENDOWMENT WHICH PROVIDES THAT BOARD OF DIRECTORS SHALL ELECT ITS OWN MEMBERS. WE BELIEVE THIS PROPOSAL WILL HAVE BETTER CHANCE OF ACCEPTANCE IF VERB "SELECT" IS REPLACED BY "RECOMMEND."

5. TEXT OF AUDIT ARTICLE REFERRED TO IN PARA 6, REF A, NOT TRANSMITTED, SINCE AEC CONTRACT WITH ARGENTINE RESEARCH COUNCIL, WHICH ARRIVED WITHOUT EXPLANATION SEVERAL DAYS AGO, WAS RETURNED TO DEPT. EMBASSY WILL APPRECIATE TEXT REQUESTED IN REF C.

6. SINCE MATSUURA ALREADY DEPARTED TOKYO, WE ASSUME TIMING OF NEXT MEETING WILL BE DISCUSSED WITH HIM IN WASHINGTON.

7. EMBASSY BELIEVES THERE MAY BE SOME MISUNDERSTANDING ON GOJ BUDGET SITUATION EVIDENCED IN PARA 8 OF REF A. JFY 1975, FOR WHICH 1,384 BILLION YEN REQUESTED, BEGINS APRIL 1, 1975, AND REQUEST IS THEREFORE INTENDED TO APPLY ONLY TO PERIOD BEGINNING APRIL 1, WHEN NEW INSTITUTE IS IN BEING. THEREFORE, NO PART OF THIS APPROPRIATION WILL BE AVAILABLE TO SUPPLEMENT US FUNDING FOR PERIOD PRIOR TO APRIL 1975. THIS MATTER HAS BEEN DISCUSSED IN TOKYO 12198.
SHOESMITH

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